

Article - Criminal Law

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§9–505.

(a) A person may not manufacture, possess, transport, or place:

(1) a device or container that is labeled as containing or is intended to represent a toxic material, as defined in § 4-501 of this article, with the intent to terrorize, frighten, intimidate, threaten, or harass; or

(2) a device that is constructed to represent a destructive device, as defined in § 4-501 of this article, with the intent to terrorize, frighten, intimidate, threaten, or harass.

(b) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

(c) (1) In addition to the penalty provided in subsection (b) of this section, a person convicted or found to have committed a delinquent act under this section may be ordered by the court to pay restitution to:

(i) the State, county, municipal corporation, bicounty unit, multicounty unit, county board of education, public authority, or special taxing district for actual costs reasonably incurred as a result of a violation of this section; and

(ii) the owner or tenant of a property for the actual value of any goods, services, or income lost as a result of the evacuation of the property as a result of a violation of this section.

(2) This subsection may not be construed to limit the right of a person to restitution under Title 11, Subtitle 6 of the Criminal Procedure Article.

(3) (i) If the person convicted or found to have committed a delinquent act in violation of this section is a minor, the court may order the minor, the minor's parent, or both to pay the restitution described in paragraph (1) of this subsection.

(ii) Except as otherwise provided in this section, the provisions of Title 11, Subtitle 6 of the Criminal Procedure Article apply to an order of restitution under this paragraph.

(d) In addition to any other penalty authorized by law, if the person convicted or found to have committed a delinquent act under this section is a minor, the court may order the Motor Vehicle Administration to initiate an action, under the motor vehicle laws, to suspend the driving privilege of the minor for a specified period not to exceed:

(1) for a first violation, 6 months; and

(2) for each subsequent violation, 1 year or until the person is 21 years old, whichever is longer.

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